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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,787	07/05/2001	David Paul Felsher	FELSHER 201.I	2368
10037	7590	11/16/2006	EXAMINER	
MILDE & HOFFBERG, LLP			SHERR, CRISTINA O	
10 BANK STREET				
SUITE 460			ART UNIT	PAPER NUMBER
WHITE PLAINS, NY 10606				3621

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/899,787	FELSHER, DAVID PAUL	
	Examiner	Art Unit	
	Cristina Owen Sherr	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 August 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-151 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-151 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. This communication is in response to applicant's amendment filed July 18, 2006.

Election/Restrictions

2. Applicant timely traversed the restriction (election) requirement in the reply filed on July 18, 2006. Applicant has amended claims 39, 53, 96, 110 and 142. Applicant has amended the claims of groups II, III, and IV to depend from claim 1 or 58 of the selected group. Applicant further claims that the several species are so intertwined as to render them patentably indistinguishable from each other. Nevertheless, applicant has chosen group I, species V, with traverse. Examiner will treat the application as though the various groups and species are not patentably distinguishable.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 58 and 144-151 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rusnak et al (US 6,098,056).

5. Regarding claims 1, 58 and 144 –

Rusnak discloses a method, comprising the steps of: receiving a record (e.g. col 4 ln 20-30, fig 2); referencing a set of access rules for the record; and applying an appropriate set of access rules to limit access to the record, the limitations being enforced one or more selected from the group consisting of a cryptographic method for

selectively limiting record access based on possession of a cryptographic key, and a trustee applying the access rules to limit access to the record (e.g. col 5 ln 6-15, col 6ln 30-35).

6. Although the records in Rusnak are not specifically referred to as forming a the legal entity known as a trust, it would be obvious to one of ordinary skill in the art to adapt the teachings of Rusnak to obtain the instant invention, and generally in order to limit access to records to only certain trusted people. It is noted that the fact the instant application is called a “legal entity” in and of itself carries no patentable weight.

7. Regarding claims 145-151 -

Rusnak discloses having a the owner of the information, through a “trusted information handler” commercially exploit or sell the said records and information in them according to certain rules (e.g. col 6 ln 47-54, cdol 6ln 57-62).

8. As above, it would be obvious to one of ordinary skill in the art to adapt the teachings of Rusnak to obtain the instant invention, and generally in order to limit access to records to only certain trusted people, whether for sale, lease or advertisement and not matter what the content of the records. It is noted that the fact the instant application is called a “legal entity” in and of itself carries no patentable weight.

9. Regarding claim 2-57 and 59-143 –

Claims 2-57 and 59-143 are rejected under the same criteria as above.

10. Examiner’s note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

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Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.
12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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